

**INFORMATION SHEET**  
**DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS**  
**RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK**  
**COUNTY V. U.S. ARMY CORPS OF ENGINEERS**

**DISTRICT OFFICE:** Seattle  
**FILE NUMBER:** 200400304

**REGULATORY PROJECT MANAGER:** Romano **Date:** 2/22/05  
**PROJECT REVIEW/DETERMINATION COMPLETED:** **In the office** Yes **Date:** 2/7/05  
**At the project site** No **Date:** \_\_\_\_\_

**PROJECT LOCATION INFORMATION:**

**State:** Washington  
**County:** Pierce and Thruston  
**Center coordinates of site by latitude & longitudinal coordinates:** 46-57-22/122-29-58  
**Approximate size of site/property (including uplands & in acres):** 22.54 linear miles or 249.93 acres  
**Name of waterway or watershed:** Puget Sound

**SITE CONDITIONS:** FL-10 ( less than one acre) is a small closed system in a nearly flat glacial outwash plain within surface water outlet, consisting of seasonally shallow water area, dominated by quaking aspen with no defined surface outlet and surrounded by uplands. FL-11 ( less than one acre) abandon gravel pit excavated in level glacial outwash plain with seasonal open water, dominated by cottonwood, with no surface water outlet and surrounded by uplands. FL-40 (less than 0.5 acre) is shallow linear basin amid a gently rolling glacial outwash plain, dominated by tree saplings with no surface water outlet. FL-42 (0.5 acres) emergent wetland within an active pasture, is small basin amid gently rolling glacial outwash surrounded by uplands with no surface water outlet. FL-44 (0.4 acre) mix forest/emergent wetland that is a shallow basin amid gently rolling glacial outwash surrounded by uplands with no surface water outlet.

Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	X								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									
Ditched stream									

<sup>1</sup>Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors <sup>1</sup> :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?		X			
Is or would be used as habitat by other migratory birds that cross state lines?		X			
Is or would be used as habitat for endangered species?		X			
Is used to irrigate crops sold in interstate commerce?		X			

<sup>1</sup>Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

**TYPE OF DETERMINATION:** Preliminary    Or    Approved X.

**ADDITIONAL INFORMATION SUPPORTING NJD** (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite): These wetland areas are within flat glacial outwash plains that are small closed wetlands with no surface water outlets.